

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:11-CV-34-F

| | | |
|------------------------------|---|--------------|
| ROBIN WILLIAMSON, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | <u>ORDER</u> |
| |) | |
| STATE FARM FIRE AND CASUALTY |) | |
| COMPANY, |) | |
| |) | |
| Defendant. |) | |

This matter is before the court on the parties' Joint Motion to Voluntarily Remand Case to State Court [DE-13].


As the basis for their motion, the parties point to the Stipulation and Covenant executed by counsel for the parties, whereby the Plaintiff agrees the amount in controversy is not more than \$75,000.00 and she not enforce a judgment in excess of \$75,000. *See* Stipulation and Covenant [DE-13-1]. Accordingly, because the amount-in-controversy requirement under 28 U.S.C. § 1332(a) is not satisfied, both parties request that the action be remanded.

Because the parties have stipulated to this court that the amount in controversy in this case does not exceed \$75,000, and because there is no other basis for federal jurisdiction apparent from the record now before the court, it is proper that this case be remanded to state court for further proceedings as this court lacks jurisdiction over the matter. Consequently, the Joint Motion to Remand [DE-13] is ALLOWED, and this case is REMANDED to the Wake County Superior Court, Civil Division. The Clerk of Court is DIRECTED to serve a copy of this order on the Clerk of Wake County Superior Court. All other pending motions filed in this court

in this case are DENIED as MOOT.

SO ORDERED.

This the 2nd day of March, 2011.



JAMES C. FOX
Senior United States District Judge